

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ELIZABETH ALIDI MILLER, In Re
the Welfare of R.M., a minor,

NO: CV-10-409-RMP

Plaintiff,

ORDER OF DISMISSAL WITHOUT PREJUDICE

V.

DEPARTMENT OF SOCIAL AND HEALTH SERVICES,

Defendant.

On February 22, 2012, the Court ordered Plaintiff to show cause, within 30 days of the entry of the order, as to why this action should not be dismissed without prejudice for failure to timely effect service, or file proof that the summons and complaint have been properly served on the Defendant. ECF No. 7. On February 22, 2012, the District Court Clerk mailed, via U.S. Postal Service, a copy of that order to Plaintiff at her last known address. The Order was returned from Plaintiff's last known address, and Plaintiff has failed to file a notice of change of address.

1 Plaintiff has failed to file a writing establishing why this case should not be
2 dismissed without prejudice nor has the Plaintiff filed proof that she has served a
3 summons and complaint on the Defendant. Accordingly, **IT IS HEREBY**
4 **ORDERED:**

5 1. Plaintiff's Complaint and any and all counterclaims and/or cross-claims
6 are dismissed without prejudice and without costs to any party.
7 2. All pending motions, if any, are **DENIED AS MOOT**.
8 3. All scheduled court hearings, if any, are **STRICKEN**.

9 The District Court Clerk is directed to enter this Order, provide copies to
10 counsel, and **CLOSE** this file.

11 **DATED** this 26th day of March 2012.

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13 *s/ Rosanna Malouf Peterson*
14 ROSANNA MALOUF PETERSON
15 Chief United States District Court Judge
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